

**U.S. Department of Labor**

Office of Small Business Programs  
Washington, D.C. 20210



August 26, 2008

Mr. Calvin Jenkins  
Acting Associate Administrator for  
Government Contracting and Business Development  
U.S. Small Business Administration  
409 Third Street, S.W.  
Washington, D.C. 20416

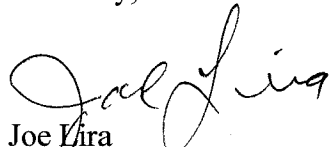
Dear Mr. Jenkins:

This memorandum transmits the Department of Labor's Small Business Procurement Scorecard Plan for Fiscal Year 2009.

The Department of Labor is proud of its small business program and is pleased to submit its Small Business Procurement Scorecard Plan in accordance with the requirements stipulated in SBA's "Small Business Procurement Score Card Guidance."

If you have any questions or concerns, please have your staff contact Mr. Fritz Trakowski, of my staff, at 202-693-6465 or at [Trakowski.Frederick@dol.gov](mailto:Trakowski.Frederick@dol.gov).

Sincerely,

  
Joe Lira  
Director

Enclosures

# U.S. Small Business Administration

## Small Business Procurement Score

### Guidance

### Attachment 4

Agency: Department of Labor

Evaluator: \_\_\_\_\_

Date: \_\_\_\_\_

---

#### ***PLAN (RIGHT SIDE OF SCORECARD)***

For the First Scorecard of the Fiscal Year, to be issued during the second quarter, responses to each of the nine elements will be evaluated regarding the small business program *plan* for the fiscal year. For each of the three factors, the evaluator will score either a "1" for a positive response or a "0" as a negative or non-applicable response.

*An overall evaluation will be characterized as follows: Scores ranging 0 to 7.2 will be deemed "Red", scores ranging from 7.3 to 8.9 will be deemed "Yellow", and Scores of 9.0 will be deemed "Green". Note that standard rounding conventions will be observed in calculating scores.*

The left and middle portion of the January scorecard will not be evaluated as they represent the agency's FY 2009 accomplishments against goals, and FY 2009 goals.

<b><i>Evaluation Measures #1 (First Scorecard-Plan)</i></b>
<b>Implemented strategic plan to increase the number of <i>competitively</i> awarded contracts to small business during the period.</b>
<b>How will SBA evaluate response?</b>
The agency will need to clearly define and document a strategy to increase competitive opportunities under procurement preference programs.
Examples: <ul style="list-style-type: none"><li>• Schedule showing an outreach calendar of events, such as vendor outreach session for specific preference groups (e.g. women-owned business, service-disabled veteran-owned small business, HUBZone, etc).</li><li>• An annual or multi-year plan to increase the number of competitively awarded contracts to small businesses during the period.</li></ul>
Yes or No? <b>YES.</b> Agency clearly defined and documented a strategy to increase competitive opportunities under procurement preference programs.
<b>Brief Agency Comment for Scorecard:</b>
The Department of Labor (DOL), Office of Small Business Programs' (OSBP) three-pronged strategy for Fiscal Year 2009 incorporates outreach, education, and enforcement activities to increase the number of

competitively awarded contracts to small business. DOL's three-pronged strategy of outreach, education and enforcement is as follows:

**Outreach:** Outreach is a critical component of OSBP's strategy to maximize small business utilization at DOL. The office plans to engage in a wide array of outreach activities, including:

1. *National and Local Outreach:* OSBP will analyze numerous local and national trade association events, conferences, and procurement seminars across the country in an effort to maximize small business utilization. OSBP has developed a tentative Outreach Calendar for Fiscal Year 2009. See Attachment 1.
2. *Vendor Outreach Sessions:* OSBP will sponsor Small Business Vendor Outreach Sessions (VOS) on a quarterly basis at DOL's National Office in Washington, D.C. and offer small businesses the opportunity to market their capabilities directly to OSBP and agency program officials and learn about potential Department procurement opportunities and contracting procedures. Conversely, Department procurement officials can learn about the diverse small business resources available to meet their procurement needs. OSBP plans to feature a Vendor Outreach Session exclusively for the Service-Disabled Veteran-Owned (SDVOSB) and HUBZone small business communities. OSBP will evaluate the effectiveness of each VOS via a survey conducted by the participating vendors. OSBP will continue to extend invitations to SBA and GSA representatives to participate at DOL VOS events. OSBP has developed a tentative VOS schedule for Fiscal Year 2009. See Attachment 2.
3. *Agency Performance Reports:* OSBP will continue using procurement data populated by the Federal Procurement Data System - Next Generation (FPDS-NG) to generate quarterly reports that convey feedback to DOL agency heads on their small business utilization performance vs. goals. OSBP will continue issuing monthly reports to apprise Agency officials on Service-Disabled Veteran-Owned Small Business procurement performance.

**Education:** OSBP will participate in procurement planning and development of procurement strategies with DOL agencies. Actions will include:

1. *Counsel and Policy Interpretation:* OSBP plans to meet with agency program and acquisition personnel to provide guidance and policy interpretation of small business utilization programs (i.e. small business set-aside programs and requirements, market research, small business goals, agency responsibilities, screening and clearance procedures for acquisitions >\$100,000, etc).
2. *Procurement Strategy Development:* OSBP will work closely with program offices to develop procurement strategies that effectively evaluate the market place for small business utilization and the structuring of procurement documents to evaluate potential DOL contractors. In doing so, OSBP will use the Department of Labor Manual Series (DLMS)-2 Chapter 1000, Small Business Utilization Program. See Attachment 3. This supplemental policy maximizes the utilization of small business within DOL contracting actions through a formal review process using the DL-1-2004 Form. The OSBP Director screens all acquisitions exceeding \$100,000 (including GSA schedule buys) for possible small business, 8(a), HUBZone or service disabled veteran owned small business set-aside. All unrestricted procurements are centrally reviewed in the Office of Small Disadvantaged Business Utilization (the OSDBU functions are performed by OSBP in the Department) to ensure that adequate market research substantiates that two small business concerns were not identified to satisfy the need of the agency.

3. *Educational Seminars:* OSBP will hold small business sessions in Fiscal Year 2009 for DOL Program and Administrative personnel including technical instructions and demonstrations of the Central Contractors Registration, SBA Dynamic Small Business Search, Federal Business Opportunity, FPDS-NG Web sites, and procedures on how to identify small businesses to meet the needs of DOL (i.e. open market, GSA schedules, GWAC). This will include training using live internet demonstrations, exercises and group participation on the Central Contractor Registration, SBA Dynamic Small Business Search and the GSA eLibrary. OSBP will continue to provide guidance and policy interpretation to DOL Program and Procurement personnel regarding activities relevant to DOL's small business utilization program and supplemental DLMS policies and procedures. The DLMS-2 Chapter 1000 is an innovative means to maximize the utilization of small business within DOL contracting activities, and requires the OSBP Director to screen all acquisitions exceeding \$100,000 (including GSA schedule buys) to ensure that utilization of small business is being considered to the maximum practicable extent. See Attachment 3. The small business utilization screening process is conducted via the DL-1-2004 Form, and these small business utilization policies, procedures, and forms are available to all Departmental personnel via DOL's intranet.

**Enforcement:** DOL will demonstrate leadership and support to OSBP's mission to enforce the Department's small business utilization program, through the following:

1. *Department of Labor Manual Series (DLMS)-2 Chapter 1000:* DOL has implemented supplemental policy to the small business utilization program. The supplemental revisions to the Department of Labor Manual Series (DLMS)-2 Chapter 1000 were developed by OSBP and are an innovative means to maximize the utilization of small business in DOL contracting actions. As part of this supplemental policy, the Director of OSBP employs a strategy of screening all acquisitions exceeding \$100,000 (including GSA schedule and GWAC buys) for possible 8(a), HUBZone, service-disabled veteran owned small business, or small business set-aside. The OSBP central screening process is required prior to the advertisement of DOL acquisitions on the Federal Business Opportunity Web site to ensure that small businesses receive maximum opportunities to participate in DOL procurement actions, to the extent practicable for each DOL requirement. OSBP also uses a strategy to increase the number of competitively awarded contracts to small businesses by utilizing a list of small business class set-asides (i.e. construction, janitorial, security guard services, local delivery service, court reporting, etc) as noted in the DLMS-2 Chapter 1000, Small Business Utilization Program. See Attachment 3.
2. *Enhanced contract bundling safeguards:* OSBP will monitor agency procurement records to ensure that no unjustified bundling occurs. OSBP's strategy requires agency Administrative Officers to provide a certification for each acquisition exceeding \$2 million that certifies the requirement has not been bundled. Bundling has not occurred at DOL.
3. *Secretarial Directives:* DOL agencies will continue to operate under the Departmental strategy for implementing the Service-Disabled Veterans Executive Order 13360, which requires 3% service disabled veteran owned small business utilization for DOL and component agencies. The Assistant Secretary for Veterans' Employment and Training is the designated senior official responsible for managing this effort together with the Assistant Secretary for Administration and Management and the Director of OSBP. On September 21, 2007, Secretary of Labor Elaine L. Chao issued a memorandum urging DOL Executive Staff to support small business participation and extend opportunities to small businesses to compete for all new procurement opportunities and contract re-competition within the Department's procurements.

4. *Small Business Goals:* OSBP will coordinate with DOL component agencies on Fiscal Year 2009 individual small business goals that will enable DOL to meet or exceed its goals with SBA. OSBP plans to continue using procurement data populated by the Federal Procurement Data System - Next Generation (FPDS-NG) to generate quarterly reports that convey feedback to DOL agency heads on their small business utilization performance vs. goals. OSBP will also continue issuing monthly reports to apprise Agency officials on Service-Disabled Veteran-Owned Small Business procurement performance.
5. *Small Business Performance Standards:* DOL has implemented a written directive, issued jointly October 15, 2007 by the OSBP Director and the Assistant Secretary for Administration and Management, by which DOL acquisition personnel are measured for their efforts regarding small business utilization in meeting agency requirements. The small business performance standard incorporated in the performance plans recognizes and awards DOL acquisition personnel for innovative efforts to achieve and exceed DOL and component agency small business goals. The Department plans to evaluate acquisition personnel in accordance with the small business utilization rating standards for the Fiscal Year 2009 rating period.
6. *Subcontracting Plans:* OSBP will review all subcontracting plans for contracts to large business that are greater than \$550,000, and approve plans supportive of the DOL goals established with the SBA. OSBP will continue to forward notice of all approved/disapproved subcontracting plans to the respective contracting activities for administration. OSBP will continue to review the Electronic Subcontracting Reporting System (eSRS) and report annual subcontracting performance on DOL contracts administered by agency contracting activities. OSBP will issue the Fiscal Year 2008 Small Business Subcontracting Performance report to DOL contracting activities on individual prime contractors subcontracting performance against their established subcontracting plans and request that appropriate action be taken with prime contractors falling short of their subcontracting plans. OSBP will provide the DOL Procurement Executive with a copy of the annual report to DOL contracting activities on small business subcontracting plans, contractor's performance, and areas of noncompliance so that he may follow up with the contracting officers to ensure plan enforcement.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**

***Evaluation Measures #2 (First Scorecard-Plan)***

**Demonstrates top-level Agency commitment to small business contracting during the period.**

**How will SBA evaluate response?**

The agency will need to have documented expression of commitment to small business contracting at the agency-head, or deputy agency-head, level within the previous twelve months.

Examples:

- Affirmative public statements by senior level executives supporting award of contracts under socio-economic procurement preference programs.
- Affirmative internal statements by senior level executives encouraging or mandating award of contracts under socio-economic procurement preference programs.

Inclusion of such commitment to award of contracts under socio-economic procurement preference programs in strategic and/or operating plans, and/or annual individual performance work plans; etc.

Yes or No? **YES.** Agency provided a documented expression of top-level agency commitment.

**Brief Agency Comment for Scorecard:**

Secretary of Labor Elaine L. Chao annually sponsors an Opportunity Conference, which celebrates the contributions of the nation's Asian Pacific, Hispanic, and African American communities to small business, and provides workshops on doing business with federal, state, and local governments. Plans for the Opportunity Conference in Fiscal Year 2009 are underway.

The Department of Labor (DOL), Office of Small Business Programs (OSBP) has developed, at the direction of the Office of the Secretary, a small business booklet – “Doing Business with the DOL.” This booklet, which can be downloaded from DOL’s Website, provides an overview of small business opportunities, SBA requirements, small business set-aside programs, DOL’s Procurement Forecast, and associated websites. OSBP will continue to distribute “Doing Business with the DOL” at Vendor Outreach Sessions, events, conferences, trade shows, and match making sessions nation-wide, as well as to DOL Agency Heads and procurement activities.

The Secretary issued a directive to DOL agencies on a strategy for implementing the Service-Disabled Veterans Executive Order 13360. DOL supports the strategy for implementing the Executive Order and strives to meet or exceed the statutory goal of 3%. OSBP plans to feature a Vendor Outreach Sessions (VOS) for the Service-Disabled Veteran-Owned (SDVOSB) small business community on its Fiscal Year 2009 VOS schedule. See Attachment 2.

Secretary Chao issued a memorandum dated September 21, 2007, to Executive Staff reminding each agency head of the importance of small business utilization and goal achievement. The Secretary’s memorandum is still in effect and OSBP plans to use this directive to remind and encourage agencies to utilize small businesses and strive to meet small business goals. See Attachment 4.

DOL has implemented a written directive, issued jointly by the OSBP Director and the Assistant Secretary for Administration and Management, by which DOL acquisition personnel are measured for their efforts regarding small business utilization in meeting agency requirements. The small business performance standard incorporated in the performance plans recognizes and awards DOL acquisition personnel for innovative efforts to achieve and exceed DOL and component agency small business goals. The Department plans to evaluate acquisition personnel in accordance with the small business utilization rating standards for the Fiscal Year 2009 personnel evaluation cycle.

OSBP will continue its use of the data compiled from the Federal Procurement Data System-Next Generation to generate reports that convey feedback to DOL agency heads on their small business utilization performance on a quarterly basis. OSBP will report small business performance to agency heads, reminding them of the significance that DOL leadership places on the success of the small business program.

OSBP will analyze numerous local and national trade association events, conferences, and procurement seminars across the country in an effort to maximize small business utilization. OSBP has developed a tentative Outreach Calendar for Fiscal Year 2009. See Attachment 1.

OSBP plans to sponsor Small Business VOS on a quarterly basis at DOL’s National Office in Washington, D.C. and offer small businesses the opportunity to market their capabilities directly to OSBP and agency program officials and learn about potential Department procurement opportunities and contracting procedures. Conversely, Department procurement officials can learn about the diverse small business resources available to meet their procurement needs. OSBP will feature the Service-Disabled Veteran-Owned (SDVOSB) and HUBZone small business communities at a VOS conducted during Fiscal Year 2009. OSBP has developed a tentative VOS schedule for Fiscal Year 2009. See Attachment 2. OSBP will evaluate the effectiveness of each VOS via a survey conducted by the participating vendors. OSBP will

continue to extend invitations to SBA and GSA representatives to participate at DOL VOS events.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**

**Evaluation Measures #3 (First Scorecard-Plan)**

**Planned significant events to increase small business participation in the procurement process during the period.**

**How will SBA evaluate response?**

The agency will need to have enacted a comprehensive small business plan that includes written policies and procedures focused on improving the competitive environment and increasing small business participation in the procurement process.

Examples:

- Plans to sponsor relevant outreach events or educational activities.
- Plans to implement a relevant supplemental small business policy or procedure.
- Plans to organize small business matchmaking events for members of socio-economic preference programs such as women-owned small business, service-disabled veteran-owned small business, and HUBZone certified firms.

Yes or No? **YES.** Agency clearly enacted a comprehensive small business program.

**Brief Agency Comment for Scorecard:**

The Department of Labor (DOL), Office of Small Business Programs (OSBP) will employ an innovative best practice to increase small business participation in DOL procurements. DOL's supplemental revision to the Department of Labor Manual Series (DLMS)-2 Chapter 1000, Small Business Utilization Program maximizes the utilization of small business within DOL contracting actions through a formal review process using the DL-1-2004 Form. See Attachment 3. The OSBP Director screens all acquisitions exceeding \$100,000 (including GSA schedule buys) for possible small business, 8(a), HUBZone or service disabled veteran owned small business set-asides. All unrestricted procurements are centrally reviewed in the Office of Small Disadvantaged Business Utilization (the OSDBU functions are performed by OSBP in the Department) to ensure that adequate market research substantiates that two small business concerns cannot be identified which can satisfy the need of the agency. The screening of agency requirements (DL-1-2004 Form and supporting documentation), with recommendation from OSBP, is completed prior to the advertisement of DOL acquisitions on the Federal Business Opportunity website. OSBP will continue its strategy to increase the number of competitively awarded DOL contracts to small businesses by utilizing a list of small business class set-asides (i.e. construction, janitorial, security guard services, local delivery service, court reporting, etc) as noted in the DLMS-2 Chapter 1000, Small Business Utilization Program.

The OSBP strategy is to participate in an array of outreach activities to maximize small business utilization at DOL. OSBP plans to analyze numerous local and national trade association events, conferences, and procurement seminars across the country in an effort to maximize small business utilization. OSBP has developed a tentative Outreach Calendar for Fiscal Year 2009. See Attachment 1.

OSBP will sponsor Small Business VOS on a quarterly basis at DOL's National Office in Washington, D.C. and offer small businesses the opportunity to market their capabilities directly to OSBP and agency program officials to learn about potential Department procurement opportunities and contracting procedures.

Conversely, Department procurement officials can learn about the diverse small business resources available

to meet their procurement needs. OSBP will feature the Service-Disabled Veteran-Owned (SDVOSB) and HUBZone small business communities at VOSs conducted during Fiscal Year 2009. OSBP has developed a tentative VOS schedule for Fiscal Year 2009. See Attachment 2. OSBP will continue to evaluate the effectiveness of each VOS via a survey conducted by the participating vendors. OSBP will continue to extend invitations to SBA and GSA representatives to participate at DOL VOS events.

DOL has implemented a written directive, issued jointly October 15, 2007, by the OSBP Director and the Assistant Secretary for Administration and Management, by which DOL acquisition personnel are measured for their efforts regarding small business utilization in meeting agency requirements. The small business performance standard incorporated in the performance plans recognizes and awards DOL acquisition personnel for innovative efforts to achieve and exceed DOL and component agency small business goals. The Department plans to evaluate acquisition personnel in accordance with the small business utilization rating standards for the Fiscal Year 2009 rating period.

OSBP will review all subcontracting plans for contracts to large business that are greater than \$550,000, and approve plans that comply with the DOL goals established with the SBA. OSBP will continue to forward notice of all approved/disapproved subcontracting plans to the respective contracting activities for administration. OSBP will continue to review the Electronic Subcontracting Reporting System and report annual subcontracting performance on DOL contracts administered by agency contracting activities. OSBP plans to issue the Fiscal Year 2008 Small Business Subcontracting Performance report to DOL's Procurement Executive and contracting activities on individual prime contractors' subcontracting performance against their established subcontracting plans and request that appropriate action be taken with prime contractors falling short of their subcontracting plans. OSBP will provide the DOL Procurement Executive with a copy of the annual report to DOL contracting activities on small business subcontracting plans, contractor's performance, and areas of noncompliance so that he may follow up with the contracting officers to ensure plan enforcement.

**valuator Comments:**

**Brief SBA Comments for Scorecard:**

***Evaluation Measures #4 (First Scorecard-Plan)***

**Demonstrates that small business data is accurately reported in FPDS-NG during the period.**

**How will SBA evaluate response?**

The agency will need to have established and documented a plan to ensure that small business data is accurately reported in FPDS-NG.

Examples:

- Plan to verify and validate FPDS-NG data, pursuant to Office of Federal Procurement Policy Memorandum of March 9, 2007, entitled Federal Procurement Data Verification and Validation. Plans to encourage businesses to update their CCR information to accurately reflect size and socio-economic business status.

Yes or No? **YES.** Agency has established and documented a process to ensure that small business data is accurately reported in FPDS-NG.

**Brief Agency Comment for Scorecard:**

In order to comply with the Office of Federal Procurement Policy Memorandum of March 9, 2007, entitled Federal Procurement Data Verification and Validation, the Department of Labor (DOL) has established a



strategy to assess the accuracy of the Department's Federal Procurement Data System – Next Generation (FPDS-NG) data. DOL's Office of the Assistant Secretary for Administration and Management (OASAM) has awarded an 8(a) sole-source contract to a Service-Disabled Veteran-Owned firm to review and independently validate DOL's FPDS-NG data.

The Department's Office of Acquisition Management Services (OAMS) plans to continue the administration of the independent review of DOL's FPDS-NG data to encompass Fiscal Year 2008 procurement actions. The completion of the procurement review is scheduled for the Fall with a report to be issued in December 2008. This validation includes the review of various offices, resulting in a round of data correction followed by subsequent sampling of actions and analysis of the samples. In parallel, OAMS will continue to run a campaign identifying erroneous or suspect transactions in FPDS-NG for review and correction, as appropriate, by contracting officers and specialists. OASAM is confident the report will reflect that DOL's FPDS-NG data will indicate no material error rate in connection with any element relevant to small business.

OSBP small business advisors and the OASAM staff will continue to diagnose and correct coding issues that arise within FPDS-NG to ensure the accuracy of DOL procurement data.

OASAM, with the assistance of OSBP, will update FPDS-NG instructions for DOL contracting activities, as needed. Updated instructions will provide clarification on procurement coding in the FPDS-NG system and will be made available to DOL contracting activities via OASAM's contracting officer's advisory notices.

OASAM plans to hold an annual Procurement Conference for all of DOL's National and Regional contracting activities during Fiscal Year 2009. The conference will provide training on FPDS-NG functions, system updates, data entry, historical systemic issues, and future FPDS-NG system changes.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**

***Evaluation Measures #5 (First Scorecard-Plan)***

**Demonstrates that policies and procedures are in place to ensure compliance with subcontracting plans and attainment of subcontracting goals during the period.**

**How will SBA evaluate response?**

The agency will need to have established, documented, and enacted a systematic plan to enforce small business subcontracting plans and to meet subcontracting goals.

Examples:

- Plans to use the Electronic Subcontracting Reporting System (eSRS) to manage compliance with subcontracting goals and to ensure attainment of subcontracting goals.
- Plans to provide assistance and support to prime contractors to ensure compliance with subcontracting plans.

Yes or No? **YES.** The Agency has established, documented, and enacted systematic plan to enforce small business subcontracting plans and to meet subcontracting goals.

**Brief Agency Comment for Scorecard:**

The Department of Labor (DOL) contracting activities, under the oversight of the Office of the Assistant Secretary for Administration and Management (OASAM), administers and enforces the satisfactory execution of subcontracting plans required in contracts with large business concerns exceeding \$550,000. DOL contracting activities will continue to monitor subcontracting plans for compliance, and provide advice

and assistance to large business prime contractors that fail to meet subcontracting plans, as appropriate.

OSBP will review all subcontracting plans for contracts to large business that are greater than \$550,000, and approve plans supportive of the DOL goals established with the SBA. OSBP will continue to forward notice of all approved/disapproved subcontracting plans to the respective contracting activities for administration. OSBP will continue to review the Electronic Subcontracting Reporting System (eSRS) and report annual subcontracting performance on DOL contracts administered by agency contracting activities. OSBP will issue the Fiscal Year 2008 Small Business Subcontracting Performance report to DOL contracting activities on individual prime contractors subcontracting performance against their established subcontracting plans and request that appropriate action be taken with prime contractors falling short of their subcontracting plans. OSBP will provide the DOL Procurement Executive with a copy of the annual report to DOL contracting activities on small business subcontracting plans, contractor's performance, and areas of noncompliance so that he may follow up with the contracting officers to ensure plan enforcement.

The DOL Procurement Executive and Division of Acquisition Management Services, with OSBP collaboration, plan to reinforce their procedures for the contracting officers to administer the compliance of subcontracting plans through annual compliance verification.

OSBP plans to screen eSRS on a routine basis and provide DOL users (employees and contractors) with assistance and instructions necessary to report accurate subcontracting data. OSBP will participate and provide the eSRS Change Control Board and Subcontracting Plan Requirement Taskforce with recommendations that augment the existing system. OSBP will keep DOL eSRS Points of Contacts (POC) informed of eSRS training opportunities, Change Control Board and Subcontracting Plan Requirement Taskforce meetings, and required pending report actions. OSBP plans to continue the implementation of eSRS augmentation resulting from the eSRS Change Control Board and Subcontracting Plan Requirement Taskforce. OSBP plans to participate in monthly eSRS User Group meetings, quarterly eSRS Change Control Board meetings, and eSRS Subcontracting Plan Requirement Taskforce meetings. OSBP will continue open communications with DOL eSRS users to ensure the timely submission of the Federal Government Subcontracting Accomplishment Report to SBA.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**

***Evaluation Measures #6 (First Scorecard-Plan)***

**Demonstrated no unjustified bundling has taken place during the period.**

**How will SBA evaluate response?**

The agency will need to have established, documented, and enacted systematic plans to be taken to ensure no unjustified bundling has taken place during the reporting period.

Examples:

- Plan to improve bundling activities review process.
- Plan to review FPDS-NG for all agency bundlings coded.

Yes or No? **YES.** The Agency has established, documented, and enacted systematic actions to be taken to ensure no unjustified bundling has taken place during the reporting period.

**Brief Agency Comment for Scorecard:**

The Department of Labor (DOL) continues to have no bundled contracts and the Office of Small Business Programs (OSBP) will continue utilizing a systematic plan to ensure that no unjustified bundling takes place. OSBP will enforce DOL's DLMS-2 Chapter 1000 supplemental policy requiring the screening of all acquisitions exceeding \$100,000 (including GSA schedule buys) for possible small business, 8(a), HUBZone or service disabled veteran owned small business set-aside. The Department will ensure that agency Administrative Officers provide a certification that the requirements have not been bundled for procurements \$2 million and above. OSBP plans to monitor FPDS-NG for accuracy regarding bundling and coordinate with OASAM on any FPDS-NG discrepancies that may inaccurately report bundling for DOL.

OASAM will hold an annual Procurement Conference for all of DOL's National and Regional contracting activities during Fiscal Year 2009. The conference will provide training on FPDS-NG functions, system updates, data entry, historical systemic issues, future FPDS-NG system changes, and includes contract bundling, and bundling reporting functions of FPDS-NG. This training will reduce the potential for coding errors in FPDS-NG, which could falsely indicate bundling activity for DOL.

**Evaluator Comments:****Brief SBA Comments for Scorecard:****Evaluation Measures #7 (First Scorecard-Plan)**

**Planned training to contracting staff/managers in executing small business/socio-economic procurements during the period.**

**How will SBA evaluate response?**

The agency will need to have planned at least 1 training session for the reported period.

Acceptable responses may include, but not limited to the following:

- Maintenance of educational intranet sites on small business programs covering program direction, critical documents, links to laws, regulations, and external contracting tools and resources.
- Plan to implement small business program orientation and training especially focusing on socio-economic procurement preference programs such as women-owned small business, service-disabled veteran-owned small business, and HUBZone certified firms.

Yes or No? **YES.** The Agency has planned training for contracting staff/managers in executing small business/socio-economic procurements.

**Brief Agency Comment for Scorecard:**

The Office of Small Business Programs (OSBP) plans to conduct quarterly training sessions of agency procurement personnel to apprise them of small business procurement issues/developments. The quarterly sessions will be in conjunction with OSBP's VOS events for Fiscal Year 2009. OSBP has developed a tentative VOS schedule for Fiscal Year 2009. See Attachment 2.

OSBP will provide supplemental educational materials on significant small business topics via email distribution to DOL's contracting activities and program offices. Past examples of educational materials include detailed policy interpretation on small business size standards, SBA's re-certification requirements, non-manufacturer rule and socioeconomic program parity; and availability and procedures regarding the VETS and SEWP IV GWAC's.

To supplemental SBA 8(a) training provided to DOL in Fiscal Year 2008, OSBP will forward the Small Business Administration's Fiscal Year 2009 Schedule of Events for the 8(a) training sessions to the Department of Labor's (DOL) contracting activities and issue a written reminder of the requirement to participate in SBA sponsored training on 8(a) contracting procedures, as required by the DOL/SBA 8(a) Partnership Agreement.

The Office of the Assistant Secretary for Administration and Management (OASAM) plans to conduct an annual Procurement Conference for all of DOL's National and Regional contracting activities in Fiscal Year 2009. OSBP will participate in the Procurement Conference and provide education to administrative and procurement personnel on Internet tools available to identify capable small businesses on GSA Schedules and in the open market. These on-line sources included the use of Central Contractor Registration (CCR), CCR Dynamic Small Business Search, and GSA E-Library.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**

***Evaluation Measures #8 (First Scorecard-Plan)***

**Planned to collaborate with SBA on formulation of small business procurement policy initiatives during the period.**

**How will SBA evaluate response?**

The agency will need to demonstrate its intent to collaborate with SBA on at least one small business procurement policy initiative during the reporting period.

Acceptable responses may include, but not limited to the following:

- Active participation in the Small Business Procurement Advisory Council in small business procurement policy discussions.

Yes or No? **YES.** The Agency has planned to collaborate with SBA on formulation of small business procurement policy initiatives during the reporting period.

**Brief Agency Comment for Scorecard:**

The Office of Small Business Programs (OSBP) will attend the meetings of the Small Business Procurement Advisory Council during Fiscal Year 2009 and actively participate in discussions and committees relating to small business policy.

OSBP will invite the Small Business Administration (SBA) and the General Services Administration (GSA) to the Department of Labor's Vendor Outreach Sessions. Invitations to SBA and GSA are a standard practice for all Vendor Outreach Sessions.

DOL's Office of the Assistant Secretary for Administration and Management (OASAM) plans to conduct an annual Procurement Conference for all of DOL's National and Regional contracting activities during Fiscal Year 2009. OSBP will participate in the Procurement Conference and provide education to administrative and procurement personnel on Internet tools available to identify capable small businesses on GSA Schedules and in the open market.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**

**Evaluation Measures #9 (First Scorecard-Plan)**

**Agency submits by attachment copies of all strategic plans that become due to SBA during the period.**

**How will SBA evaluate response?**

In order to receive credit for this element, the agency will need to have submitted required strategic plans and annual reports that were due to SBA, within the reporting period. (That is, from October 1, 2007 through the date of submission of the First Scorecard Report to SBA). See Attachment 6.

Yes or No? **YES.** Agency submitted all required strategic plans and annual reports that were due to SBA.

**Brief Agency Comment for Scorecard:**

The Department of Labor (DOL) has submitted applicable strategic plans and annual reports due to the Small Business Administration (SBA) in a timely manner and will continue to do so.

*Small Business Innovation Research (SBIR) Annual Report:* DOL does not participate in the SBIR Program and does not plan to submit a related report.

*Small Business Technology Transfer (STTR) Annual Report:* DOL does not participate in the STTR Program and does not plan to submit a related report.

*Competitive Demonstration Program Report:* DOL does not participate in the Competitive Demonstration Program and does not plan to submit a related report.

*Annual Report and Fiscal Year 2007 Update for Strategic Plan to Contract with Service-Disabled Veteran-Owned Small Businesses (SDVOSB):* DOL hereby timely submits to SBA its Fiscal Year 2007 Annual Report and update of its strategy to improve contracting opportunities and achievement toward increasing the number of service-disabled veteran-owned small businesses awarded government contracts in accordance with Executive Order 13360. See Attachment 5. DOL will submit by January 31, 2009, the Fiscal Year 2008 annual report in accordance with SBA reporting schedule.

*Annual Contract Bundling Report:* DOL hereby timely submits to SBA its Fiscal Year 2007 Annual Bundling Report, in the context of its report to SBA's Procurement Scorecard. The Department continues to carry out its strategy to ensure no unnecessary bundled contracts and the maintenance of an overall acquisition system that allows for full and open competition. DOL operates procedures to safeguard against contract bundling through supplemental policy revisions to the DLMS 2 Chapter 1000, Small Utilization Program. See Attachment 3. The supplemental policy requires the screening of all acquisitions exceeding \$100,000 (including GSA schedule buys) for possible bundling. The Department ensures that the agencies' Administrative Officers provide a certification for procurements \$2 million and above that, the requirement has not been bundled. The Office of Small Business Programs (OSBP) enforces DOL's DLMS-2 Chapter 1000 policies and utilizes this systematic plan to ensure that no contracts are bundled at DOL. The Department continues to have no bundled contracts. OSBP monitors FPDS-NG for accuracy regarding bundling and coordinates with OASAM on any FPDS-NG discrepancies that could inaccurately report bundling for DOL. DOL will submit by January 31, 2009, the Fiscal Year 2008 annual report in accordance with SBA reporting schedule.

*Progress Report on Increasing Opportunities for Women-Owned Small Business:* DOL hereby timely submits, in the context of its report to SBA's Procurement Scorecard, its Fiscal Year 2007 strategic plan on increasing opportunities for women-owned small businesses, as required by Executive Order 13157 *Increasing Opportunities for Women-Owned Small Business*. The Federal Acquisition Streamlining Act of 1994 (P.L. 103-355) established the Government-wide goal for participation by small business concerns owned and controlled by women at not less than 5 % of the total value of all prime contract and subcontract awards for each fiscal year. The Department recognizes the importance of the Women-Owned Small

Business initiative and supports Executive Order 13157 through higher goals and performance. Increasing access to government contracting opportunities for women-owned small business (WOSB) has been a DOL priority since the inception of the program. DOL has routinely established a WOSB participation goal that is higher than the statutory goal of 5%, and has exceeded this 5% goal annually since Fiscal Year 2004. The Department will continue to support Executive Order 13157 and achieve, or exceed the statutory goal of 5% for Women-Owned Small Business participation. The Department has appointed a Women's Business Advocate, OSBP Director Jose A. Lira, Director, to serve as the direct liaison to the women-owned small business community and aggressively encourage the expanded participation of WOSB's throughout DOL's procurement opportunities, and closely monitor the achievement of the 5% goal. DOL uses the Central Contractors Registration (CCR), Dynamic Small Business Search, sources sought/RFI in Fedbizopps and outreach events as resources to match WOSBs with DOL's procurement opportunities. The Department has increased efforts to extend opportunities to women-owned small businesses through supplemental revisions to its *Department of Labor Manual Series (DLMS)-2 Chapter 1000, Small Business Utilization Program*. See attached. The DLMS requires the Director of the Office of Small Business Programs to screen all acquisitions exceeding \$100,000 (including GSA schedule buys) for inclusion of women-owned small businesses, as well as small business, 8(a), HUBZone or service disabled veteran owned small business set-asides. OSBP enforces the DLMS-2 Chapter 1000 policies and utilizes this systematic plan to ensure that opportunities, to the maximum practicable extent, are available to the women-owned small business community. OSBP uses the procurement data populated by the Federal Procurement Data System-Next Generation (FPDS-NG) to generate quarterly reports that convey feedback to DOL agency heads on their WOSB, as well as small business, 8(a), other than 8(a) small disadvantaged business, HUBZone and service disabled veteran owned small business utilization performance vs. goals. OSBP participates in local and national trade association events and procurement seminars throughout the year, providing for vendor matchmaking with agency contracting opportunities. OSBP sponsors quarterly small business Vendor Outreach Sessions and offers small businesses (including women-owned small businesses) the opportunity to market their capabilities directly to agency program officials and learn about potential procurement opportunities. Conversely, the Department procurement officials learn more about the diverse small business resources available to meet their procurement needs. DOL has implemented small business performance standards as part of the evaluation plan for all acquisition personnel. This written directive, issued jointly October 15, 2007, by the OSBP Director and the Assistant Secretary for Administration and Management, recognizes acquisition personnel for innovative efforts to achieve and exceed small business goals and holds acquisition personnel accountable for their agency's achievement of the 5% WOSB goal as well as other established small business goals. The Department will evaluate acquisition personnel in accordance with the small business utilization rating standards for the Fiscal Year 2008 evaluation cycle. OSBP reviews all subcontracting plans for contracts to large businesses that exceed \$550,000, and approves plans that comply with the statutory and DOL goal of 5% for women-owned small business. OSBP forwards notice of all approved/disapproved subcontracting plans to the respective contracting activities for administration. OSBP reports on and requires corrective actions on instances of prime contractors not meeting their subcontracting goals. DOL will submit by January 31, 2009, the Fiscal Year 2008 annual report in accordance with SBA reporting schedule.

*Corrective Actions to Address Unmet FY 2007 Socio-Economic Goals Report:* DOL hereby reports to SBA on its Fiscal Year 2007 Corrective Actions to Address Unmet Socio-Economic Goals for DOL, in the context of its report to SBA's Procurement Scorecard. The Department exceeded its Fiscal Year 2007 goals established with the SBA for small business, small disadvantaged business, and women-owned small business. DOL demonstrated significant improvement in performance, and improved contracting with Service Disabled Veteran-owned Small Business (SDVOSB). The Office of Small Business Programs (OSBP) continues to work with Departmental procurement and program officials, the Veterans' Employment and Training Service, and the Department of Veterans Affairs to improve SDVOSB contracting performance in accordance with Executive Order 13360: Providing Opportunities for Service-Disabled

Veteran Businesses to Increase Their Federal Contracting and Subcontracting. The Department strives to enhance its achievements in HUBZone participation and targets upcoming agency re-procurement actions for possible HUBZone set-asides. OSBP vigilantly reviews proposed acquisition strategies to steer procurements to small businesses via prime and subcontracts wherever possible. The Department will increase effort to extend procurement opportunities to small businesses through supplemental revisions to its *Department of Labor Manual Series (DLMS)-2 Chapter 1000, Small Business Utilization Program*. See Attachment 3. The DLMS requires the Director of the Office of Small Business Programs to screen all acquisitions exceeding \$100,000 (including GSA schedule buys) for possible small business; small disadvantaged business, 8(a), HUBZone, women-owned small businesses, or service-disabled veteran owned small business set-aside. OSBP enforces the DLMS-2 Chapter 1000 policies and utilizes this systematic plan to ensure that opportunities, to the maximum practicable extent, are available to the small business community. OSBP participates in local and national trade association events and procurement seminars throughout the year, providing for vendor matchmaking with agency contracting opportunities. OSBP sponsors quarterly small business Vendor Outreach Sessions and offers small businesses the opportunity to market their capabilities directly to agency program officials and learn about potential procurement opportunities. Conversely, the Department procurement officials learn more about the diverse small business resources available to meet their procurement needs. DOL has implemented small business performance standards as part of the evaluation plan for all acquisition personnel. This written directive, issued jointly October 15, 2007, by the OSBP Director and the Assistant Secretary for Administration and Management, recognizes acquisition personnel for innovative efforts to achieve and exceed small business goals and hold acquisition personnel accountable for their agency's established small business goals. The Department will evaluate acquisition personnel in accordance with the small business utilization rating standards for the Fiscal Year 2008 evaluation cycle. OSBP reviews all subcontracting plans for contracts to large businesses that are greater than \$550,000, and approves plans that comply with the Department's small business goals with SBA and goals set by statute. OSBP will continue to forward notices of all approved/disapproved subcontracting plans to the respective contracting activities for administration. OSBP plans to continue its efforts in monitoring the Electronic Subcontracting Reporting System data to determine the subcontracting performance on prime contracts administered by agency contracting activities. OSBP will continue to develop and forward the Small Business Subcontracting Performance report to DOL contracting activities on individual prime contractors subcontracting performance against their established subcontracting plans, with a copy to the Procurement Executive, requesting corrective actions on prime contractors falling short of their subcontracting plans. The DOL Procurement Executive and Division of Acquisition Management Services, with OSBP collaboration, will reinforce its procedures for the contracting officers to administer the compliance of subcontracting plans through annual compliance verification. DOL will submit by January 31, 2009, the Fiscal Year 2008 annual report in accordance with SBA reporting schedule.

**Evaluator Comments:**

**Brief SBA Comments for Scorecard:**